



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA ELECTRONIC & FIRST CLASS MAIL

Cleta Mitchell, Esq.
Foley & Lardner LLP
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Washington, DC 20007-5109
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NOV 19 2018

RE: MUR 7275
Conservative Campaign Committee
and Kelly Lawler in her official
capacity as treasurer

Dear Ms. Mitchell:

On November 7, 2018, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 52 U.S.C. § 30104(b)(4)(H)(iii) and (g), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See Disclosure of Certain Documents in Enforcement and Other Matters*, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due in monthly installments as set out in the conciliation agreement. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Dominique Dillenseger".

Dominique Dillenseger
Attorney

Enclosure
Conciliation Agreement

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2. Kelly Lawler is the treasurer of Conservative Campaign Committee.

3. The Act requires committee treasurers to file reports of disbursements in accordance with the provisions of 52 U.S.C § 30104(b). 52 U.S.C. § 30104(a)(1). This requirement includes reporting independent expenditures made by political committees other than authorized committees. 52 U.S.C. § 30104(b)(4)(H)(iii), *see also* 11 C.F.R. § 104.3(b)(1)(vii).

4. Every political committee that makes independent expenditures must report them in its regularly scheduled disclosure reports in accordance with 11 C.F.R. § 104.3(b)(3)(vii). 11 C.F.R. § 104.4(a). A political committee must disclose on Schedule E the name of any person who receives any disbursement during the reporting period in an aggregate amount or value in excess of \$200 within the calendar year in connection with an independent expenditure by the reporting committee. 11 C.F.R. § 104.4(a). The report also must disclose the date, amount, and purpose of any such independent expenditure and include a statement that indicates whether such independent expenditure is in support of or in opposition to a candidate, as well as the name and office sought by such candidate. Independent expenditures of \$200 or less do not need to be itemized, though the committee must report the total of those expenditures on line (b) of Schedule E. *Id.*

5. Political committees that make or contract to make independent expenditures aggregating \$1,000 or more with respect to a given election after the 20th day, but more than 24 hours before the date of that election, must disclose them within 24 hours following the date of public dissemination. 52 U.S.C. § 30104(g)(1); 11 C.F.R. § 104.4(c). These reports, known as 24-Hour Reports, must be filed within 24 hours of public dissemination after each time it makes

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or contracts to make independent expenditures aggregating an additional \$1,000. 11 C.F.R. § 104.4(c).

6. A political committee that makes or contracts to make independent expenditures aggregating \$10,000 or more for an election in any calendar year, up to and including the 20th day before an election, must report these expenditures within 48 hours of public dissemination. 52 U.S.C. § 30104(g)(2); 11 C.F.R. § 104.4(b)(2). These reports, known as 48-Hour Reports, must be filed by the end of the second day “following the date on which a communication that constitutes an independent expenditure is publicly distributed or otherwise publicly disseminated.” 11 C.F.R. § 104.4(b)(2). A committee is required to file additional reports within 48 hours after each time it makes or contracts to make independent expenditures aggregating an additional \$10,000. *Id.*

7. As set forth in the Final Audit Report, the Commission found that in 2012, the Respondents failed to properly disclose independent expenditures totaling \$270,210. The Commission further found that the Committee failed to timely file 24-Hour Reports within 24 hours after the public dissemination of independent expenditures totaling \$12,302 and did not file any reports for independent expenditures totaling \$3,774.

V. Respondents violated 52 U.S.C § 30104(b)(4)(H)(iii) and (g) by failing to properly disclose independent expenditures totaling \$286,286.

VI. Respondents will take the following actions:

1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Twenty-One Thousand Dollars (\$21,000.00), pursuant to 52 U.S.C. § 30109(a)(5)(A). The civil penalty will be paid as follows:

a. A payment of Three Thousand dollars (\$3,000), is due no more than thirty (30) days from the date this Agreement becomes effective;

b.. Thereafter, six consecutive monthly installment payments of Three Thousand dollars (\$3,000) each;

c. Each such installment shall be paid within thirty (30) days of the due date of the previous payment;

d. In the event that any payment is not received by the Commission by the fifth day of the month in which it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the Respondents. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

2. Respondents will cease and desist from violating 52 U.S.C. § 30104(b)(4)(H)(iii) and (g).

3. Respondents will amend the relevant disclosure reports to accurately reflect its independent expenditures set forth in Finding 1B of the Final Audit Report.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

BY: Kathleen M. Guith

Kathleen M. Guith
Associate General Counsel
for Enforcement

11/19/18

Date

FOR THE RESPONDENTS:

Cleta Mitchell

Cleta Mitchell, Esq.
Counsel for Respondents

Oct 1, 2018

Date

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